

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF IOWA
CENTRAL DIVISION

ALLY FINANCIAL INC., a Delaware Corporation,

Plaintiff,

vs.

THOMAS D. GRETTER, an Individual;
JOHN D. GRETTER, an Individual,

Defendants.

Case No. 4:15-CV-00051-SMR-HCA

STIPULATION FOR DISMISSAL OF DEFENDANT, JOHN D. GRETTER

Plaintiff Ally Financial Inc. (“Ally”) on the one hand and Defendant John D. Gretter, an individual (“John Gretter”), on the other hand stipulate pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i)(ii) and pursuant to a settlement agreement between them, as set forth below. Ally and John Gretter are collectively referred to herein as the “Parties” or as a “Party” when singularly referred to.

STIPULATION

1. The claims for relief for: a) breach of contract (personal guaranty); b) conversion; c) fraud; and d) negligent misrepresentation alleged against John Gretter in the Verified Complaint filed on February 13, 2015 by Ally (the “Complaint”) shall be dismissed with prejudice.
2. The Parties shall bear their own attorneys’ fees and costs incurred in connection with this action.
3. Ally expressly reserves its right to pursue the claims for relief for: a) breach of

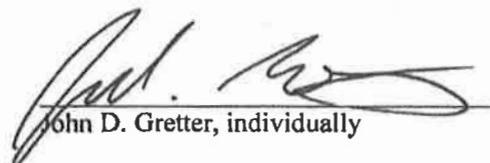
contract (personal guaranty); b) conversion; c) fraud; and d) negligent misrepresentation alleged against defendant, Thomas Gretter in the Complaint, whose default was entered by the Court on June 16, 2014.

4. Based on the foregoing the Parties stipulate and agree that the claims alleged by Ally in the Complaint against John Gretter are hereby dismissed with prejudice.

IT IS SO STIPULATED.

Dated:

1-25-16



John D. Gretter, individually

Dated:

1/26/2016

ALLY FINANCIAL INC.

Name: Michael D. Kehler
Title: MICHAEL D. KEHLER
Its: ASSISTANT SECRETARY

APPROVED AS TO FORM

DATE: January , 2016

PUGH HAGAN PRAHM PLC.

By: _____

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APPROVED AS TO FORM

DATE: January 15, 2016

PUGH HAGAN PRAHM PLC

By:

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DATED: 1/26, 2016

BRICK GENTRY P.C.

By:

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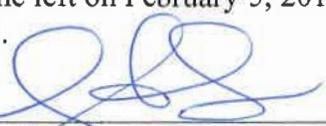
DATED: 1/26, 2016

By:

Eleanor M. Roman (California Bar No. 178736)
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Lead Attorney

SEVERSON & WERSON

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Attorneys for Plaintiff Ally Financial Inc.

<p><u>Copy to:</u></p> <p>Adam S. Tarr PUGH HAGAN PRAHM PLC 1100 Sixth Street Suite 102 Coralville, IA 52241 Tel.: 319-351-2028 Fax: 391-351-1102 Email: atarr@pughhagan.com Attorney for John D. Gretter BY CM/ECF NOTICE OF ELECTRONIC FILING</p>	<p>CERTIFICATE OF SERVICE</p> <p>The undersigned certifies that a true copy of this foregoing STIPULATION FOR DISMISSAL OF DEFENDANT, JOHN D. GRETTER was served upon the attorneys of record herein for defendant John D. Gretter, at their address set forth to the left on February 5, 2016 by CM/ECF.</p> <p>By:  Name: Stella Saephan</p>
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